

Minutes of a Regular Meeting of the Town Board of the Town of Riverhead, held in the Town Hall, New York, on Tuesday, June 3, 1975, at 10:30 A.M.

Present:

John H. Leonard, Supervisor
 Robert G. Leonard, Town Justice
 Gregory R. Manning, Town Justice
 George G. Young, Councilman

Absent: Francis E. Menendez, Councilman

Also present: Allen M. Smith, Town Attorney
 Alex E. Horton, Supt. of Highways

EXECUTIVE SESSION - Friday, May 30, 1975

10:00 A.M. - Mr. Peterson re Public Telephone Booths
 10:30 A.M. - George Speidell, Wading River re Curfew for Snack Bar.
 Mr. Speidell failed to appear.
 10:45 A.M. - Stanley Grodski, Recreation Supt. re Recreation Matters

Supervisor Leonard called the Meeting to Order at 10:30 A.M. and the Pledge of Allegiance was recited.

Supervisor Leonard then explained that Councilman Menendez was ill and recuperating very nicely in the hospital, but could not receive visitors, other than his family.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Minutes of the Meeting of the Town Board of the Town of Riverhead, held on May 20th, 1975, be approved as submitted.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Minutes of the Special Meeting of the Town Board of the Town of Riverhead, held on May 23rd, 1975, be approved as submitted.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

BOARD OF AUDIT

The Town Board convened as a Board of Audit and examined the following bills, submitted on Abstract, dated June 3, 1975:

General Town	\$324,200.05
Highway Item #1	\$ 45,271.14
Highway Item #3	\$ 2,319.75
Highway Item #4	\$ 6,196.80
Drug Abuse Program	\$ 31.60
Senior Nutrition Program	\$ 192.12

Town Justice Manning offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the following bills be and are hereby approved for payment:

General Town	\$324,200.05
Highway Item #1	\$ 45,271.14
Highway Item #3	\$ 2,319.75
Highway Item #4	\$ 6,196.80
Drug Abuse Program	\$ 31.60
Senior Nutrition Program	\$ 192.12

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

REPORTS

Tax Receiver's, dated: May 20, 1975 and May 30, 1975. Filed.
 Building Department, month of May, 1975. Filed.
 Police Department, month of May, 1975. Filed.
 Recreation Department, month of April, 1975, Filed.
 Master Plan Ballots Report

OPEN BID REPORT - 3M Microfilm Camera

After being duly advertised, the following Bid for a 3M Microfilm Camera for the Town of Riverhead was opened by the Town Clerk on Monday, June 2nd, 1975, at 11:00 A.M.:

3M Business Products Sales, Inc.
 101 Crossways Park W.
 Woodbury, New York 11797

Delivery Date: 30-45 Days A.R.O.

Cost of items furnished and work specified: \$4,154.36 Filed.

OPEN BID REPORT - Repairs on 966 Caterpillar - Sanitation Dept.

After being duly advertised, the following Bids for the Repair of a 966 Caterpillar Bulldozer for use of the Sanitation Department were opened by the Town Clerk, on Monday, June 2nd, 1975, at 11:00A.M.:

H.O. Penn Machinery Co., Inc.
 1561 Stewart Avenue
 Westbury, New York 11590

Delivery of Services: 30 Days from pick-up of Loader

Cost of items furnished and work specified: \$6,695.18 Filed.

OPEN BID REPORT - Repair of Caterpillar - continued:

Edward Ehrbar, Inc.

100 Secor Lane

Pelham Manor, New York 10803

SUBMITTED NO BID

Filed.

OPEN BID REPORT - One (1) Used Tractor - Highway DepartmentAfter being duly advertised, the following Bids for One (1)

Used Tractor, suitable for mower attachment, for use of the Riverhead Highway Department were opened by the Town Clerk on Monday, June 2nd, 1975, at 11:00 A.M.:

John J. Soah

Rt. 9, Sandy Hollow Road

Southampton, New York 11968

Year and Make of Tractor: 1964 Ford #4000

Delivered Price: \$3,250.00

Filed.

Island Ford Tractor Sales, Inc.

Edwards Avenue

Calverton, New York 11933

Year and Make of Tractor: 1964 Ford #4000

Delivered Price: \$3,724.60

Filed.

Rolle Brothers, Inc.

Sales & Service

Route 58

Riverhead, New York 11901

Year and Make of Tractor: 1969 White-Oliver #44

Delivered Price: \$3,982.50

Filed.

PETITION

Six (6) Taxpayers approving Petition of Drs. Brown and Allen for Animal Hospital in Aquebogue. Filed.

COMMUNICATIONS

O.T.B., dated 5/20/75, requesting a meeting with the Town Board to discuss the establishment of a branch office in Riverhead. Filed. Copies to Town Board and Town Attorney.

It was reported that the Meeting has already been held.

State of N.Y. Dept. of Transportation, dated 4/28/75 re added regulations:

(23) On the south side of Route 25, SH 8181, between Station 35+15# (235# feet west of the west curb line of Prospect Place) and Station 40+55# (275# feet east of the east curb line of Prospect Place), a distance of 540# feet.

This action establishes a "No Stopping" restriction as described above. Filed.

Copies to Town Board, Town Attorney, Supt. of Highways, and Police Chief.

COMMUNICATIONS - continued:

Joseph T. Lopez, Circle Motor Inn, dated 5/19/75, thanking the Town Board for their support regarding the Circle Motor Inn as the new downtown depot for the L.I. Airports Limousine Service, and submitting new schedule for same. Filed.

Copies to Town Board and Town Attorney.

Mrs. J.V. Adams, dated 5/21/75, stating she and her husband are residents of Reeves Park, Riverhead and agree with an article (which was submitted with letter) in the Suffolk Life which stated that people of Riverhead shouldn't have to pay to use the town beaches. Filed.

Copies to Town Board and Town Attorney and Recreation Supt.

N.Y.S. Assembly, dated 5/22/75, re "Establishing Sound Avenue, a scenic and historic corridor in Suffolk County, in honor and celebration of the American Bicentennial and the role of Long Island in the American Revolution", stating if this matter meets with the approval of the Town, the proper resolution, to that effect, should be passed. Filed.

Copies to Town Board and Town Attorney.

Town of Southampton, dated 5/6/75, Calling Public Hearing on Proposed Amendment to the Southampton Zone Ordinance #26 regarding Commercial Fishing Facilities, to be held 6/17/75 at 7:30 P.M. Filed.

Copies to all Town Agencies.

Riverhead Planning Board, dated 5/20/75, urging the Town Board to implement the 1973 Master Plan and proposed Zoning Ordinance by engaging the services of Mr. Fred Reuter and proceed with public hearings, with the advice of said consultant, to implement the aforesaid Plan and Map. Filed.

Copies to all Town Agencies.

Town Clerk to refer this matter to Mrs. McBride, Clerk of the Planning Board, to set up a meeting between all parties concerned.

Riverhead Planning Board, dated 5/16/75 re Petition of #84 Lumber Company for Amendment to Zoning Ordinance and Special Permit recommending the Town Board deny the Petition, as the Master Plan provides for lumber yards to be within the proposed Highway Business Zoning Use District to be created in accordance with said Master Plan. Filed.

Copies to all Town Agencies.

Suffolk County Dept. of Planning, dated 5/20/75, re Amended Building Zone Ordinance, Section 85-230, Town of Brookhaven, stating if a resolution of the municipal board is not received by June 8th, they will assume there are no objections. Filed.

Copies to all Town Agencies.

COMMUNICATIONS - continued:

Suffolk County Department of Planning, dated 5/27/75, re Amendment to Zoning Ordinance #26, Section 206A(1)(P) - Veterinary Hospital, stating they consider the aforementioned Amendment to be a matter for local determination, but that their decision of local determination should not be construed as either an approval or a disapproval. Filed.
Copies to all Town Agencies.

Roanoke Landing Civic Association, dated 5/27/75, requesting permission to hold a block party at Mary Court, in the area of Rolling Woods.

They further state the date will be on Sunday, July 20th, between the hours of 3:00 and 9:00 P.M., and further request the cul de sac blocked off from 2:00 P.M. to sunset. Filed.

Copies to Town Board and Town Attorney.

Town Board agreed to this proposal.

Mrs. Jane van den Thoorn informed the Board that the party was being moved to Linda Lane West, due to increase in anticipated attendance.

Suffolk County Department of Planning, dated 5/20/75, re Adopted Change of Zone from Residence "B" to "A-2" Residential (Parcel 13), Town of Brookhaven, stating if a resolution of the municipal board is not received by June 9, 1975, they will assume there are no objections. Filed.
Copies to all Town Agencies.

Suffolk County Department of Planning, dated 5/20/75, re Adopted Change of Zone from Residence "B-1" to Residence "A-2" (Parcel 18), Town of Brookhaven, stating if a resolution of the municipal board is not received by June 9, 1975, they will assume there are no objections. Filed.
Copies to all Town Agencies.

Hartwood Civic Association, Wading River, dated 5/26/75, requesting that signs be put up in the area of Cliff Road down to the circle, one for "No Parking" at the circle during the summer months and a speed limit sign for the area.

They further stress the need for more police patrolling in the area in view of recent robberies. Filed.

Copies to Town Board, Town Attorney, Police Chief and Supt. of Highways.

This matter has been referred to Captain Palmer for investigation and report.

Suffolk County Department of Planning, dated 5/28/75 re Amendment to Zoning Ordinance #26 - Restaurants, etc. - Multiple Sections, stating they consider the aforementioned Amendment to be a matter for local determination, but that their decision of local determination should not be construed as either an approval or a disapproval. Filed.

Copies to all Town Agencies.

COMMUNICATIONS - continued:

Paul Melvin, Calverton, dated 5/27/75, complaining that the \$3.00 fee to use the Town beaches is paying an additional tax for a service that should be covered by his regular taxes.

He also enclosed article from Suffolk Life to the same effect.
Copies to Town Board, Town Attorney and Recreation Supt. Filed.

Richard J. Cantwell, dated 5/20/75, stating his business establishment is located east of Jamesport Village on Route 25. That the present speed limit is 45 MPH and is requesting the speed limit be lowered to 35 MPH, as it is very hazardous for cars slowing down to park. Filed
Copies to Town Board and Town Attorney.

This matter has been referred to Captain Palmer for investigation and report.

Richard J. Cantwell, dated 5/20/75, requesting a hearing concerning a hedge belonging to his neighbor Mrs. Stella Zdyb. The hedge borders the east side of her property and the west side of his property. It is growing tall and a hazard for any vehicle leaving his property. The lady will not cut the hedge, nor allow him to do so. Filed.

Copies to Town Board and Town Attorney.

Captain Palmer reported that this is a matter for civil action.

BUILDING AND ZONING MATTERS

Edward R. Munson, Zoning Inspector stated: "As a point of information, the Building Department now has a Housing Inspector, under the Federal funds, C.E.T.A., Mr. Tom Ward.

He was hired on the 14th of April and after a little bit of instruction and going over the law, he started inspections. He had 19 notices of violations, with a 100 violations and there's obviously action being taken on these, because we've seen places being cleaned and fixed up.

He's been well accepted by the people and he's doing a very fine job."

NEW BUSINESS

Councilman Young presented an Ordinance for Landmarks Preservation, stating that in order to get money from the State and Federal Governments, it was necessary to have the Town designated as a "Landmarks Preservation Town".

He further stated that a woman has been named to paint murals in the new Town Hall and that she will be paid out of this designated money.

UNFINISHED BUSINESS

Items a) and b) regarding Codification and Waste Ordinance #15 are being taking care of by way of a resolution, to be presented later in the Meeting.

- c) Proposed Changes to Zone Ordinance #26 re Signs - Progress
- d) Matter of Larger Quarters for Riverhead Sr. Nutrition Program - Solved.

Items e) and f)- Decisions on Zone Changes - Jenasaqua and Drs. Brown and Allen have been deferred until Councilman Menendez returns to work, after his illness.

PUBLIC HEARING - 11:00 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice for Special Permit to Erect Aircraft Machine Shop in Aquebogue. The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

Gary Olsen, Attorney for applicant Sven Englund stated: "We are seeking a Special Permit to construct a machine shop. The purpose of the machine shop is to construct stainless steel and aluminum shafts approximately 6 or 7 inches long, that are used in airplane fueling equipment.

The property is located on West Lane in Aquebogue, on the east side and is presently zoned Light Industrial Uses, as set forth in your code, Section 209 - Permitted Uses such as assembly hall, automobile, laundry, bottling works, etc.

We are seeking this Special Permit since there is technically no listing for a machine shop, as such.

My client is present and willing to answer any questions that the Board may have concerning the nature of the business that he will be conducting there.

There will be approximately 3 to 5 employees - basically a family business."

Judge Leonard asked how big the building was going to be.

Mr. Olsen replied that it was approximately 30 feet wide by 72 feet long, and will be set back approximately 195 feet from the road.

Judge Manning asked if there would be any pollution problem.

Mr. Olsen answered: "None at all."

Councilman Young asked if the operation would all be contained within the building and was told that it would be.

He then asked a question of legality as to whether or not, if this was granted, all of the Business or Industrial Zone could be used for this purpose or just this particular spot.

Town Attorney stated that this was a Special Permit application, under Section 209 of the Ordinance (inaudible) and similar applications could be filed in other light industry areas if conditions particular to this property existed elsewhere.

Supt. of Highways, Alex Horton replied that drainage facilities were to be put on the property line in question and asked if this would still go through.

Mr. Englund, Applicant replied that Mr. Stakey (present owner of the property) had told him of this situation and he agreed to go along with any arrangements that had to be made regarding this drainage matter.

Further discussion followed.

PUBLIC HEARING - continued:

Mr. Olsen then urged the Board to reach their decision as quickly as possible due to the fact that Mr. Englund has to move out here from Lawrence, New York and would like to start construction just as soon as possible.

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 11:12 A.M. and re-opened the Meeting.

No action taken at this time.

PERSONAL APPEARANCES

Supervisor Leonard asked if anyone wished to be heard and the following responded:

Dr. Granttham commended the Board for moving ahead on the Master Plan and on the proposed ordinance on Landmark Preservation.

She then spoke on Item #31 on the agenda relating to honoring Sound Avenue as a scenic and historic corridor on Long Island and stated she hoped the Board would pass it unanimously.

Judge Leonard - (Inaudible)

Dr. Granttham spoke further on Sound Avenue's history.

She then spoke on the seriousness of the traffic study relating to the Shoreham and Jamesport Nuclear Plants and read the analysis of the Jamesport site, citing several imposing problems involving voluminous traffic traveling the Town's smaller country lanes, to get to the Jamesport site.

Supervisor Leonard recessed the Meeting to hold a Public Hearing.

PUBLIC HEARING - 11:15 A.M.

Town Clerk submitted affidavits of publishing and posting Public Notice to Amend Ord. #3 - Traffic Control and Parking - Stop Sign - Penny's Road. The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

Joseph C. Shaffery, Vice President of Northville Industries protested the erection of this particular stop sign, stating that there was no problem of cross traffic, just a 45 degree angle turn.

He suggested the severe turn be rounded off and the shoulders of the road fixed or widened, rather than put up a stop sign.

Judge Manning replied that their aim was to save a life, if possible, therefore the stop sign, rather than an alternative measure.

Supervisor Leonard asked Mr. Shaffery if he ever got in touch with Mr. Evans (owner of the property on the turn) about this problem.

Mr. Shaffery replied that Mr. Evan's wife had been contacted twice and both times had said that Mr. Evans was too ill to even come to the phone, much less conduct business.

PUBLIC HEARING - continued:

Mrs. Vernon Wells, Sr. said that she used that road all summer and couldn't see any reason in having a stop sign at that point, since you could see in all directions.

Lyndon Hallock approached the Board and stated vehemently that he felt it was utterly ridiculous to do what they're doing to an industry like Northville, that pays taxes of over \$200,000 a year, by cutting off the corner at Penny's Road and Sound Shore Road.

He then stated the corner should be condemned to make a reasonably easy turn and should be done post haste!

Supervisor Leonard then explained that this point has been brought up before and he was one of the culprits that voted for the stop sign and now realizes that it is not the answer.

Further discussion followed regarding the purchase of land for widening and rounding.

Mrs. Vernon Wells then said that Mrs. Evans was her niece and she would get in touch with her and find out what could be done to the satisfaction of all concerned.

Raymond McKay then spoke of a deal he made with the Town about 20 years ago, in a similar situation, where he just swapped land with the Town to make an easier turn on the same road.

Alex Horton, Supt. of Highways stated that you couldn't swap around on the intersection because that was the Town's road to the Sound and that would cut off their right-of-way to the Sound.

Councilman Young stated that this problem was in the Board's lap and they had to do something.

Mr. Shaffery replied that if this land was to be condemned, Northville would be willing, if it comes to that, to pay up to a \$1,000 to the Town for the acquisition of that corner, so that the road could go back to the way it was before.

Judge Manning asked if it was possible for Northville to buy that piece of land and deed it to the Town.

Mr. Shaffery explained that that was what they were trying to accomplish with the two phone calls to Mrs. Evans, but, now they feel they are losing ground and the corner is still a big problem.

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 11:34 A.M. and went right into another Public Hearing.

PUBLIC HEARING - 11:30 A.M.

Town Clerk submitted affidavits of publishing and posting of Amendment to Ordinance #26 - Restaurants, etc.

The affidavits were ordered filed.

Supervisor Leonard then declared the Hearing open and asked if anyone wished to be heard.

PUBLIC HEARING - continued:

Costa Papson, representing the Estate of Leonidas C. Papson d/b/a West Side Realty, owner of the Riverhead Plaza Shopping Center, spoke as follows:

"This ordinance change was in part, at least, prompted by our application back in October for a permit or variance to put up a 3500 sq. foot bank, on the east end of our parking lot. At the time, we were advised that we had already exceeded our building limitation, which was represented to us as being 15%, in that we were already almost up to 20%.

In 1970, the W.T. Grant Co. contracted with the West Side Realty Co. and my father, who was alive at that time, to erect an extension to their existing building. Some 115,000 sq. feet was to be added. By lease, they were responsible for obtaining all necessary permits and complying with all the necessary building codes of the Riverhead Town.

Neither my father nor I had anything to do whatever with that application, other than to sign the application. Therefore, at the time the Board advised me, back in October, that we were over-built, I was totally without any knowledge as to the zoning regulations at that time and I assume that the Board was aware and was quoting the Zoning Ordinance properly and accurately.

However, I have reason to believe that the Board is in error, in that last Friday, I was in contact with Mr. Munson. I was prompted to call him because of an article that appeared in the Suffolk News, wherein, there appeared a statement to the effect, that the Town Board sitting at the time, was not aware of the construction and the construction was put up without a Town Board resolution. Well, this didn't seem either logical or possible, since the construction of this building was so obvious to everyone passing by the shopping center on Route 58.

I was advised by Mr. Munson that the Ordinance that is presently in existence, was promulgated and became effective in October of 1970. The permit to erect this extension was obtained in July of 1970. He further advised me that at the time the permitted coverage was 20% and that we therefore fell under the 20% regulation, rather than the 15%, which was subsequently promulgated and incorporated in Ordinance #26.

Now, I'm prefacing the remarks that I might have with reference to the bank, because frankly I feel that my father's reputation, not mine, but my father's reputation has been cast in doubt, in that there was something illegal about the construction, when in fact, there appears to be no illegality, whatever. And that in addition, the Town Board, although I don't have a copy of it, I have been informed, did in fact pass a resolution to the effect, permitting this construction. Now, I'm not going to elicit any remarks from the Board, because I must assume that you do not know this. And either you were misinformed or misled, I don't know which.

Now, as regards our application, with regard to the bank."

Supervisor Leonard interjected: "In other words, you believe that anything that was done, all resolutions were illegally passed by a previous Board."

Mr. Papson: "Absolutely!"

PUBLIC HEARING - continued:

Councilman Young: "I think that if it was under 20%, you didn't even have to come to the Town Board. You just went to the building inspector and got a building permit. If it was a permitted use and under 20% in the existing Ordinance, he had a right to give you a permit."

Mr. Papson: "Well, the only problem, Gentlemen, is that unfortunately, the Press has published this rather widely, that we are in violation and of course that smacks of illegality, misdeed, if you will."

Councilman Young: "Well, it's obvious that it isn't!"

Mr. Papson: "Well, I feel at some point that I would ask the Board to issue a public statement, to that effect, that an error has been made and I'm not seeking any regress other than that."

Judge Manning: "Until such time as this is known, that it was an error and that you were within your rights, I think we have to take a stand that you are wrong.."

Mr. Papson: "I will not take issue with that."

Judge Manning: "No question about it. If you are right, I think you deserve an apology, but as things stand now, Business B is zoned 15%, not 20% as Mr. Munson's indicated. It is still 15%. We have no indication that your shopping center has ever been granted 20%. I'd like to see that."

Mr. Papson: "Judge Manning, that's not the point I'm making. The 20% zone existed, and I'm representing this to you as it's been represented to me, at the time the permit was issued. Now, you know very well that once a permit is issued under an existing code, if it changes the following day, it has no effect, whatever, on that permit."

Town Attorney: "That's NOT correct!"

Mr. Papson: "It is not? Than maybe you can enlighten us on what's right."

Town Attorney: "Let me ask you one question. You obtained the permit in July of 1970. When was the construction done?"

Mr. Papson: "Construction was commenced shortly thereafter. I can't tell you the exact date, simply because, as I pointed out many times, the W.T. Grant Co. had full control over this. They got the permits, they got all the necessary clearance from the building department and I was led to believe that something went awry. Something was amiss and then I find that the permit, when issued, was legal and the Town Board, then sitting, passed a resolution permitting the construction"

Councilman Young: "I don't think we had to."

PUBLIC HEARING - continued:

Mr. Papson: "Well, there WAS a resolution. I know that and I'm sure if you check the file, you'll find it and in October of 1970, there was a change in the Zoning Code, which downgraded the 20 to 15, but I submit that the application and the permit were issued prior to that time.

Therefore, under no guise, can that be considered an illegal construction! What I'm saying to you is a fact and as I say, I haven't investigated this, simply because I was made aware of this fact on Friday of last week. I did not know this before!"

Town Attorney: "At the best, as far as your current situation is concerned, at the best, you are a pre-existing, non-conforming use at 19%."

Mr. Papson: "I don't quarrel with that at all."

Town Attorney: "I think maybe we'll pursue it with Mr. Munson, when construction was done on this particular permit."

Mr. Papson: "Now, as regards the application that we filed back in October, with regard to this 3500 sq. foot bank building. Taking it from this point on, where the Ordinance calls for 15% and we are already at 19.9%, I believe, almost the saturation point of this piece of property. The east end of our shopping center parking lot is totally devoid of any parked cars at any time. This comprises, I would say, at least 3 or 4 acres of empty space. We propose to erect this bank building to be put up by a savings and loan association, on the east end of our parking lot, where, as I say again, no cars ever park, for any purpose other than just sitting there for whatever reason they have to rest awhile.

The bank building will be constructed in such a manner as not to impede or in any way interfere with the traffic flow along Route 58.

At Mr. Smith's suggestion, I contacted the County Road Superintendent and was advised that there are plans to widen Route 58 and it was suggested that we move back our proposed building site some 17 feet, which the bank is agreeable to doing. I'm sure there will be no problems there.

There will be no visual curb cuts, so far as to promote more traffic congestion along Route 58 and the existing traffic light will be (inaudible) 90% of the traffic, as it now does in the shopping center.

Obviously, this is a non-polluting establishment. The building they intend to put up will be a very attractive one, not to mention the additional tax revenue that it will bring to the Town of Riverhead.

In addition, I would urge that, notwithstanding the 15% coverage permitted, the utilization of this business property is being impeded in this sense. No property owner, and I agree, is permitted or should be permitted to use his property 100% efficiently as he sees fit. It has to be used in a way that's reasonable. Now, I don't consider 4 acres of vacant parking field, that the Town Zoning Ordinance dictates must be kept vacant, as a reasonable use. I think the property owner, be he business or whatever, is entitled to reasonable use of his property, as long as he does not in any way injure the Community, cause additional traffic hazards, pollution or whatever other reason you may have."

PUBLIC HEARING - continued:

Mr. Papson continues:

"This institution obviously can not be objectionable to anyone. I can't imagine anyone saying that the bank would in some way create a problem, such as perhaps a Dairy Queen or a hamburger joint or whatever you want me to say. This is a business use which will be maintained by the bank and as banks go, I'm sure the Island Federal is no different from most of them and will be an asset to the Town."

Lyndon Hallock spoke in opposition to the "voluminous amendment" to Ordinance #26, stating that zoning was originally conceived in this Town to promote orderly growth, but with all the changes it now seems to stifle growth.

He then said that if the purpose of zoning was to strangulate the use of property, this amendment to the Ordinance should accomplish that.

He further stated that he particularly objected to Section "C", then read excerpts and concluded by voicing his objections strongly against the proposed amendment.

J. Wilson Stout stated he felt that a lot of the "stuff" listed in the amendment was unnecessary, but might be used as a guidance structure for the Town Board and the Planning Board in the issuance of Special Permits, rather than making it a part of the Zoning Ordinance

He then stated that the average citizen reading this amendment about having to get lawyers, bondsmen, title searchers, etc., would be scared to death wondering whether the cost of all these people and surveys and time, would be more than the value of his land.

He then reiterated some of Mr. Hallock's objections to Section "C" of the amendment stating that if searches of the properties had to be made, the words "by a reputable title company" should be inserted into the amendment wherever a search might be warranted.

Town Attorney then explained the Planning Board's and his reasons for writing up the amendment the way it was presented.

Mr. Stout then asked if this amendment gave the Town Board any more authority than they already had.

Town Attorney answered that he felt they had.

No one else wishing to be heard and no communications having been received thereto, Supervisor Leonard declared the Hearing closed at 12:00 Noon, and re-opened the Meeting.

PERSONAL APPEARANCES - Continued:

Virginia Wines read a statement on honoring Sound Avenue for a Bicentennial effort on behalf of the Town.

Wayne Bunberg, Director of the Sound Avenue Day Care Center, spoke on a previous request he had made during an Executive Session to have the use of about 30% of the old Jamesport School, "an offer that would have realized the Town about \$4600 a year in rent" and further asked if the Town Board had reached a decision and asked what that decision might be.

PERSONAL APPEARANCES - continued:

Supervisor Leonard replied that he should contact the Jamesport Committee.

Wickham Tyte commended the Board on the Town's spirit regarding the Bicentennial and favorably commented on the flower planters on Main Street.

He then stated that he took the opposite view of what Mr. Munson previously reported regarding the new Housing Inspector and mentioned harassment. He then stressed that if the Town empowered someone to go snooping around people's homes and invading privacy, it was akin to Communism.

He then concluded by talking at length on the Housing Code.

Supervisor Leonard explained that the Riverhead Building Department saw a need for this man to help improve the Town's surroundings with all the dilapidated houses and unliveable conditions prevalent in some areas.

He further stated that he feels this man is doing a terrific job and he hopes he keeps it up.

Stephen Angel, Board Member of Sound Avenue Day Care Center, asked to have the situation clarified regarding the use of the old Jamesport School for their Day Care Center and the Town Board's decision on same.

He then stated that he would like to make a formal application to rent a portion of the building, on the basis of the proposal their organization made at the April 18th Meeting.

Judge Leonard asked Mr. Angel if he thought their group could live with the Jamesport Community Center in the same building.

Mr. Angel replied that he thought they could.

Judge Leonard then told Mr. Angel that the Jamesport Community Center didn't think that they could live with them.

Further discussion followed.

Mrs. Eve Nicosia, Member of the Jamesport Community Committee, said she and her group would be glad to meet and discuss with the Board members of the Day Care Center at the site of the Jamesport School.

Town Clerk reported to the Town Board that her Office has received 118 Master Plan Ballots (from the Suffolk Life) in favor of sticking to the Master Plan and 2 ballots not in favor.

She then reported that several were sent in with no choice marked on the ballot.

RESOLUTIONS

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Superintendent of Highways be and is hereby authorized to pay time and one-half overtime compensation to Thomas Sendlewski, Jr., Probationary Labor Foreman in the Highway Department at the rate of \$7.88 per hour, for the following hours worked - a total of 30 hours in the amount of \$236.40:

May 23, 1975 - 4 hours	May 27, 1975 - 2 hours
May 24, 1975 - 6 hours	May 28, 1975 - 2 hours
May 25, 1975 - 6 hours	May 29, 1975 - 2 hours
May 26, 1975 - 6 hours	May 30, 1975 - 2 hours

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That the bid for the purchase of a microfilm camera be and is hereby awarded to 3M Business Products, Sales, Inc., 101 Crossways Park, Woodbury, N. Y., at a cost of \$4,154.36, and

FURTHER RESOLVED, That the acceptance of said bid is subject to the bid and specification form submitted by 3M Business Products Sales, Inc., and filed in the Office of the Town Clerk.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Supervisor be and is hereby authorized to advance a check for the payment of air fare for the four members of the town government attending the planning seminar at Cornell University on June 5th, 1975.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

RESOLVED, That the Supervisor be and he hereby is authorized to pay \$350.00 maximum for air surveillance on submission of appropriate vouchers.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, No. The resolution was thereupon declared duly adopted.

RESOLUTIONS

Town Justice Manning, offered the following resolution which was seconded by Town Justice Leonard.

BE IT RESOLVED, That a Home Rule Request entitled "AN ACT in relation to establishing Sound Avenue, a scenic and historic corridor in Suffolk County, in honor and celebration of the American bicentennial and the role of Long Island in the American Revolution," be forwarded to the New York State Assembly and Senate.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Young, offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, Russell A. Fleischman, Laborer in the Highway Department, has satisfactorily completed a probationary period of six months, effective June 1, 1975,

NOW THEREFORE BE IT RESOLVED, That the Superintendent of Highways be and is hereby authorized to increase Russell Fleischman's salary from \$3. 85 per hour to \$4. 60 per hour, payable bi-weekly, to be effective as of June 2, 1975.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That Highway bills submitted on abstract dated June 3, 1975, as follows:

GENERAL REPAIRS-ITEM 1: Mobil Oil Corporation, bills dated May 12, 14, 20, 21 and 23, 1975 totalling \$872. 53, be and the same are hereby approved for payment.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

Town Justice Leonard offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That Alex E. Horton, Superintendent of Highways, be and is hereby authorized to correct the drainage problem on East Avenue, Riverhead, N. Y., and

FURTHER RESOLVED, that the amount not to exceed \$2, 480. 00 be paid for the work, said amount being the estimate as submitted by the Highway Superintendent for this project.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes. The resolution was thereupon declared duly adopted.

RESOLUTION

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

WHEREAS, Bids for One (1) Used Tractor, suitable for mower attachment for use of the Riverhead Highway were duly requested pursuant to advertisement for bids dated May 22, 1975, and

WHEREAS, In response to such advertisement in accordance with specifications therefor, were duly received by the Town Clerk on Monday, June 2, 1975 at 11:00 AM, as follows:

John J. Soah Rte. 9, Sandy Hollow Rd. Southampton, N. Y. 11968	Island Ford Tractor Sales, Inc. Edwards Avenue Calverton, N. Y. 11933	Rolle Bros. Route 58, Riverhead, N. Y. 11901
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Year and Make of Tractor:	1964 Ford #4000	1964 Ford #4000	1969 White Oliver #44
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Delivered Price:	\$3,250.00	\$3,724.60	\$3,982.50
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AND WHEREAS, The Superintendent of Highways has recommended to the Town Board, that it would be in the best interest of the Town to accept the bid of Rolle Bros., in the amount of \$3,982.50,

NOW, THEREFORE, BE IT RESOLVED, That this Town Board awards the bid for One (1) Used Tractor suitable for mower attachment for use of the Riverhead Highway Department to Rolle Bros., Route 58, Riverhead, N. Y., 11901, at the cost of \$3,982.50, and

FURTHER RESOLVED, That the acceptance of this bid is subject to the approval of the Suffolk County Superintendent of Highways/Commissioner of Public Works of the County of Suffolk and to the bid and specification form submitted by Rolle Bros., Inc., and filed in the Office of the Town Clerk,

AND FURTHER RESOLVED, That the bids of John J. Soah and Island Ford be and are hereby rejected.

Town Attorney stated that an explanation should be given as to why the lowest bid was not the one awarded.

The Town Clerk reported that the Supt. of Highways had reported to her that he had inspected the three tractors and found that the Rolle Bros. tractor was the better buy.

The Supt. of Highways confirmed his report to the Town Clerk, stating he had recommended that the award be made to Rolle Bros., and the Town Clerk then incorporated the proper explanation into the resolution.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, No. The resolution was thereupon declared duly adopted.

RESOLUTION

Councilman Young offered the following resolution which was seconded by Town Justice Manning.

-----X
IN THE MATTER OF

The Extension of the Riverhead Fire District :
and Alteration of the boundaries of said
district in the Town of Southampton, Suffolk
County, New York.

ORDER EXTENDING
THE RIVERHEAD
FIRE DISTRICT

-----X
There having been duly presented to the Town Board of the Town of Southampton a written petition in due form for the extension of the existing fire district in that town known as the Riverhead Fire District by annexing thereto the territory situate in such town and hereinafter described and the said petition having been duly signed and acknowledged; and a public hearing, following due notice, having been duly held on May 15, 1973, at the Town Hall in that town by the Town Board of the Town of Southampton to consider the said petition and hear all persons interested in the subject concerning the same; and that the Town Board having, by a resolution duly adopted on said 15th day of May, 1973, following the said public hearing and upon the evidence given thereat, duly determined that it was in the public interest to grant the relief sought by the said petition and duly resolved to extend such fire district to embrace the additional territory hereinafter described, subject, however, to the approval of the State Comptroller; the Town Clerk of the Town of Southampton having filed a certified copy of such resolution, in duplicate, in the office of the State Department of Audit and Control at Albany, New York, together with an application, in due form and duly executed in duplicate, for permission to extend such district; and the State Comptroller having made an order, in duplicate, under date of May 29th, 1975, granting permission for the extension of the district, one copy of such order having heretofore been filed in the office of the State Department of Audit and Control at Albany, New York, and the other copy thereof filed in the office of the Town Clerk of Riverhead; and the Town Clerk having presented such order to this Town Board at the next meeting thereof, to wit, a meeting held on the 3rd day of June, 1975, in the Town Hall, Town of Riverhead, Riverhead, New York.

ORDERED that this Board hereby consents that the existing fire district known as the Riverhead Fire District be extended to embrace the territory described and containing the following boundaries, to wit:

ALL that certain plot, piece or parcels of land, lying, situate and being in the Town of Southampton, Suffolk County, New York, in an area known as Riverside, more particularly described as follows:

PARCEL I An irregular strip of land being a constant width of 100 feet running parallel to and along the East Moriches-Riverhead Road, commencing at its northerly terminus at a line known as the Griffing Line and running southerly to the westerly boundary line of lands of RCA Communications, Inc., easterly of the existing easterly line of the Riverhead Fire District.

RESOLUTION Continued:

PARCEL II A triangular parcel bounded on the north by the Griffing Line and on the southwest and southeast by the division line between lands of MacLeod and RCA Communications, Inc.

ORDERED, That the Town Clerk shall cause a certified copy of this order, to be duly recorded in the office of the Clerk of the County of Suffolk, New York, and such Clerk shall also, within ten days after the adoption of this order, cause a certified copy thereof to be filed in the office of the State Department of Audit and Control at Albany, New York.

JOHN H. LEONARD, Supervisor
GEORGE G. YOUNG, Councilman
GREGORY R. MANNING, Town Justice
ROBERT G. LEONARD, Town Justice

FRANCIS E. MENENDEZ, Councilman - Absent

Members of the Town Board, Town of Riverhead,
Suffolk County, New York.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Supervisor Leonard explained that this resolution had to be passed today because of a ten (10) day time limit.

Councilman Young offered the following resolution which was seconded by Town Justice Leonard.

RESOLVED, That the Town Clerk be and is hereby authorized to publish and post notices of public hearings to amend the dump ordinance and adopt the codification of ordinances, and

FURTHER RESOLVED, That said notices shall be prepared by the Town Attorney and shall call for public hearings at the earliest available date.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

Town Justice Manning offered the following resolution which was seconded by Councilman Young.

BE IT RESOLVED, That the Bid on Repairs on One (1) 966 Caterpillar Bulldozer for use of the Sanitation Department, be and is hereby awarded to H. O. Penn Machinery Co., Inc., 1561 Stewart Avenue, Westbury, N. Y. 11590, at a cost of \$6,695.18, and

FURTHER RESOLVED, That the acceptance of this Bid is subject to the bid and specification form submitted by H. O. Penn Machinery Co., and filed in the Office of the Town Clerk.

RESOLUTIONS - continued:

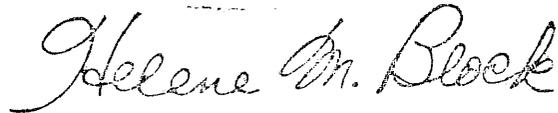
Town Attorney asked if someone had checked to make sure that these repairs were not the same ones made last year.

The Town Board assured him that they were not.

The vote, Councilman Menendez, Absent, Town Justice Manning, Yes, Councilman Young, Yes, Town Justice Leonard, Yes, and Supervisor Leonard, Yes.

The resolution was thereupon declared duly adopted.

There being no further business on motion and vote, the Meeting adjourned at 12:50 P.M., to meet on Tuesday, June 17th, 1975, at 7:30 P.M.



HMB/mhj

Helene M. Block, Town Clerk